(ख) यदि हां, तो इसका राज्य-वार ब्यौरा क्या है;

(ग) क्या यह भी सच है कि न्यायाधीशों की नियुक्ति में अनुसूचित जातियों/अनुसूचित जनजातियों तथा अन्य पिछड़े वर्गों के लिए आरक्षण के संबंध में कोई प्रावधान नहीं है; और

(घ) यदि हां, तो सरकार उन्हें कब तक आरक्षण प्रदान करेगी और इन सभी पदों को भरेगी?

विधि, न्याय और कम्पनी कार्य मंत्री (श्री एम० तम्बी दुरई): (क) और (ख) 1.11.1998 को, उच्च न्यायालयों के 587 न्यायाधीशों/अपर न्यायाधीशों की स्वीकृत संख्या के प्रति, 442 न्यायाधीश/अपर न्यायाधीश पदासीन थे और न्यायाधीशों/अपर न्यायाधीशों के 145 पद भरे जाने थे। रिक्तियों के ब्यौरे विवरण में संलग्न हैं। **(नीचे देखिए)**

1.11.1998 को भारत के उच्चतम न्यायालय में 26 न्यायाधीशों को स्वीकृत संख्या के प्रति 19 न्यायाधीश पदासीन थे और न्यायाधीशों के 7 पद भरे जाने थे।

(ग) और (घ) उच्चतम न्यायालय और उच्च न्यायालयों के न्यायाधीशों की नियुक्ति, भारत के संविधान के संगत उपबंधों के निबंधनों के अनुसार की जाती है जिनमें व्यक्तियों की किसी जाति या वर्ग के लिए आरक्षण का उपबंध नहीं है। तथापि, सरकार समय-समय पर, राज्यों के मुख्य मंत्रियों और उच्च न्यायालयों के मुख्य न्यायमूर्तियों को यह अनुरोध करते हुए, पत्र लिखती रही है वे बार से सापेक्षतः अवप्रतिनिधित्व वाले प्रवर्गों जैसे कि अनुसूचित जातियों, अनुसूचित जनजातियों, अन्य पिछड़े वर्गों और महिलाओं के ऐसे व्यक्तियों का पता लगाएं जो उच्च न्यायालय के न्यायाधीश के रूप में नियुक्ति के लिए उपयुक्त हैं।

विवरण

क्र०सं०		0.11.1998 को न्यायाधीशों के रिक्त पद
	उच्च न्यायालय	
1.	इलाहाबाद	27
2.	आंध्र प्रदेश	10
3.	मुम्बई	13
4.	कलकत्ता	16
5.	दिल्ली	5
6.	गुवाहाटी	3
7.	गुजरात	4
8.	हिमाचल प्रदेश	3
9.	जम्मू-कश्मीर	3
10.	कर्नाटक	5
11.	केरल	6
12.	मध्य प्रदेश	8
13.	मद्रास	7
14.	उड़ीसा	3
15.	पटना	7
16.	पंजाब और हरियाणा	14
17.	राजस्थान	10
18.	सिक्किम	1
	योग:	145
II.	उच्चतम-न्यायालय	7

Review of Administrative Law

244. SHRI BHAGABAN MAJHI: Will the Minister of LAW, JUSTIC AND COMPANY AFFAIRS be pleased to state:

(a) whether Government have reviewed the administrative laws in the country;

(b) whether Government propose to repeal and amend some of the Central Acts;

(c if so, the details thereof; and

(d) the steps taken in that direction?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI M. THAMBI DURAI): (a) to (d) A Commission on Review of Administrative Laws was set up by the Government in the Ministry of Personnel, Public Grievances & Pensions (Department of Administrative Reforms & Public Grievance) in May, 1998. The Commission has made a number of recommendations regarding repeal of some Central Acts. The various recommendations of the Commission have been sent to all the Ministries/ Departments of the Government of India and Chief Secretaries of all States/UT Governments for their examination/ formulation of plan of action. A Standing

Committee under the chairmanship of Secretary (Personnel) has been constituted to monitor implementation of the report.

Cases pending in Patna High Court

245. SHRI JANARDAN YADAV: Will the Minister of LAW, JUSTIC AND COMPANY AFFAIRS be pleased to state:

(a) the number of cases pending in Patna High Court during the last five years in each category; and

(b) the steps Government have taken so far for their early disposal?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI M. THAMBI DURAI): (a) As per the information received from the Registry of Patna High Court, the number of category-wise cases pending during the last five years in Patna High Court is as follows:

(As on 30.6.1998)

Civil	No. of pending cases
First Appeal	3808
Second Appeal	2911
Miscellaneous Appeal	1455
Tax	286
Letter Patent Appeal	2570
Civil Reviews	492
Civil Revision	1295
Civil Writ Jurisdiction cases	18265
Other cases	5958
Criminal	
Criminal Appeal	6265
Criminal Reference	12
Criminal Revision	1828
Criminal Miscellaneous cases	2616
TOTAL:	47761

(b) The Government have taken a series of steps to simplify procedures and speed up disposal of cases on the basis of the advice and recommendations of expert bodies like the Law Commission etc. Conference of Law Ministers, Chief Ministers and Chief Justices and other concerned with the administration of Justice are held periodically and the recommendations and conclusions emerging from such exchanges and consultations are implemented and their progrss is closely monitored.

Anti-defection Laws

246. PROF. VIJAY KUMAR MALHOTRA: Will the Minister of LAW, JUSTIC AND COMPANY AFFAIRS be pleased to state:

(a) whether it is a fact that the anti-defection law has failed to fulfil its objectives for which it was enacted;

(b) whether it is a fact that instead of containing defections it has caused more defections; and

(c) if so, what suitable measures are proposed to be taken in the matter?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI M. THAMBI DURAI): (a) and (b) No, Sir.

(c) Government would, however, consider giving effect to such measures for strengthening Anti-defection laws on which consensus emerges amongst political parties.

Reconciliation centres set up by Gujarat Government

247. SHRI ANANTRAY DEVSHANKER DAVE: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether it is a fact that the State Government of Gujarat has set up a number of reconciliation centres in the State to settle disputes and to lessen the burden on courts;

(b) if so, whether the Central Government propose to pursue other State Governments for setting up such reconciliation centres in their respective States;

(c) if so, the details thereof; and

(d) if not, the reasons therefor?